

House Bill 1125

By: Representatives Day of the 163<sup>rd</sup>, Amerson of the 9<sup>th</sup>, Yates of the 73<sup>rd</sup>, Talton of the 145<sup>th</sup>, and Murphy of the 23<sup>rd</sup>

A BILL TO BE ENTITLED

AN ACT

To amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to prestige license plates and special plates for certain persons and vehicles, so as to provide for a special license plate honoring members of the merchant marine; to provide for issuance, renewal, fees, licensing agreements, applications, and transfers relative to such special license plates; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to prestige license plates and special plates for certain persons and vehicles, is amended by adding a new Code Section 40-2-86.18 to read as follows:

"40-2-86.18.

(a) There shall be issued beginning July 1, 2007, special license plates honoring members of the merchant marine. All of these men and women have sacrificed a portion of their lives in order to serve their country and protect our freedom.

(b) The commissioner, in cooperation with supporters of this license plate, shall design a special license plate to be issued honoring members of the merchant marine. The license plates must be of the same size as general issue motor vehicle license plates and shall include a unique design and identifying number, whereby the total number of characters does not exceed six. It shall not be a requirement that a county name decal shall be fixed and displayed on license plates issued under this Code section. The graphic on the special license plate shall be placed to the left of the alphanumeric characters and shall be no larger than three inches by three inches.

(c) Notwithstanding the provisions of subsections (a) and (b) of this Code section, this Code section shall not be implemented until such time as the State of Georgia has, through

1 a licensing agreement or otherwise, received such license or other permission as may be  
2 required to implement this Code section. The design of the initial edition of such special  
3 license plate, as well as the design of subsequent editions and excepting only any part or  
4 parts of the designs owned by others and licensed to the state, shall be owned solely by the  
5 State of Georgia for its exclusive use and control, except as authorized by the  
6 commissioner. The commissioner may take such steps as may be necessary to give notice  
7 of and protect such right, including the copyright or copyrights. However, such steps shall  
8 be cumulative of the ownership and exclusive use and control established by this  
9 subsection as a matter of law, and no person shall reproduce or otherwise use such design  
10 or designs, except as authorized by the commissioner.

11 (d) On and after January 1, 2007, any motor vehicle owner who is a resident of Georgia,  
12 other than one registering under the International Registration Plan, upon complying with  
13 state laws relating to registration and licensing of motor vehicles and payment of a  
14 manufacturing fee of \$25.00 in addition to the regular motor vehicle registration fee, shall  
15 be issued such a special license plate upon application therefor. Special license plates  
16 issued under this Code section shall be renewed annually with a revalidation decal as  
17 provided in Code Section 40-2-31 upon payment of an additional \$25.00 annual  
18 registration fee, which fee shall be collected by the county tag agent at the time of  
19 collection of other registration fees and remitted to the state as provided in Code Section  
20 40-2-34.

21 (e) An applicant may request a merchant marine license plate any time during the  
22 applicant's registration period. If such a license plate is to replace a current valid license  
23 plate, the license plate shall be issued with appropriate decals attached.

24 (f) No special license plate authorized pursuant to this Code section shall be issued except  
25 upon the receipt of at least 1,000 applications. The special license plate shall have an  
26 application period of two years after January 1, 2007, for payment of the manufacturing  
27 fee. After such time if the minimum number of applications is not met, the department  
28 shall not continue to accept the manufacturing fee, and all fees shall be refunded to  
29 applicants.

30 (g) The department shall not be required to continue to manufacture the special license  
31 plate if the number of active registrations falls below 500 registrations at any time during  
32 the five-year period as provided in subsection (b) of Code Section 40-2-31. A current  
33 registrant may continue to renew such special license plate during his or her annual  
34 registration period upon payment of an additional \$25.00 annual special tag fee, which fee  
35 shall be collected by the county tag agent at the time of collection of other registration fees  
36 and shall be remitted to the state as provided in Code Section 40-2-34. The department

1 may continue to issue such special license plates that it has in its inventory to assist in  
2 achieving the minimum number of registrations. If the special license plate falls below 500  
3 active registrations at any time during the five-year period as provided in subsection (b) of  
4 Code Section 40-2-31, manufacture of the license plates shall not be continued until the  
5 commissioner receives 1,000 applications.

6 (h) License plates issued pursuant to this Code section shall be transferred between  
7 vehicles as provided in Code Section 40-2-42.

8 (i) Merchant marine license plates shall be issued within 30 days of application."

9 **SECTION 2.**

10 This Act shall become effective on January 1, 2007.

11 **SECTION 3.**

12 All laws and parts of laws in conflict with this Act are repealed.